

Introduced by Senator Liu

February 21, 2014

An act to amend Section 51747 of the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

SB 1387, as introduced, Liu. Pupil instruction: independent study.

Existing law authorizes the governing board of a school district or a county office of education to offer independent study to meet the educational needs of pupils in accordance with prescribed criteria.

Existing law provides that a school district or county office of education is not eligible to receive apportionments for independent study pupils unless it has adopted and implemented certain policies, including, but not limited to, policies related to all of the following, among other things: the maximum length of time that may elapse between the time an independent study assignment is made and the date by which the pupil must complete the assigned work; the number of missed assignments that will be allowed before an evaluation is conducted to determine whether it is in the best interests of the pupil to remain in independent study; the manner, time, frequency, and place for submitting a pupil's assignments and for reporting his or her progress; the duration of the independent study agreement, which is limited to one semester or $\frac{1}{2}$ year for a school on a year-round calendar; and the requirement of a written agreement, signed by prescribed individuals, for each independent study pupil to be maintained on file.

This bill would extend the maximum duration of an independent study agreement under this provision to 2 semesters or one school year for a school on a year-round calendar. The bill would also permit the required

signatures on the independent study written agreement to be submitted through a PDF or facsimile copy of the original written agreement.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 51747 of the Education Code is amended
2 to read:

3 51747. A school district or county office of education shall not
4 be eligible to receive apportionments for independent study by
5 pupils, regardless of age, unless it has adopted written policies,
6 and has implemented those policies, pursuant to rules and
7 regulations adopted by the Superintendent of ~~Public Instruction~~,
8 that include, but are not limited to, all of the following:

9 (a) The maximum length of time, by grade level and type of
10 program, that may elapse between the time an independent study
11 assignment is made and the date by which the pupil must complete
12 the assigned work.

13 (b) The number of missed assignments that will be allowed
14 before an evaluation is conducted to determine whether it is in the
15 best interests of the pupil to remain in independent study, or
16 whether he or she should return to the regular school program. A
17 written record of the findings of any evaluation made pursuant to
18 this subdivision shall be treated as a mandatory interim pupil
19 record. The record shall be maintained for a period of three years
20 from the date of the evaluation and, if the pupil transfers to another
21 California public school, the record shall be forwarded to that
22 school.

23 (c) A requirement that a current written agreement for each
24 independent study pupil shall be maintained on file including, but
25 not limited to, all of the following:

26 (1) The manner, time, frequency, and place for submitting a
27 pupil's assignments and for reporting his or her progress.

28 (2) The objectives and methods of study for the pupil's work,
29 and the methods utilized to evaluate that work.

30 (3) The specific resources, including materials and personnel,
31 that will be made available to the pupil.

32 (4) A statement of the policies adopted pursuant to subdivisions

33 (a) and (b) regarding the maximum length of time allowed between

1 the assignment and the completion of a pupil's assigned work, and
2 the number of missed assignments allowed ~~prior to~~ *before* an
3 evaluation of whether or not the pupil should be allowed to
4 continue in independent study.

5 (5) The duration of the independent study agreement, including
6 the beginning and ending dates for the pupil's participation in
7 independent study under the agreement. No independent study
8 agreement shall be valid for any period longer than ~~one semester,~~
9 ~~or one-half year~~ *two semesters, or one school year* for a school on
10 a year-round calendar.

11 (6) A statement of the number of course credits or, for the
12 elementary grades, other measures of academic accomplishment
13 appropriate to the agreement, to be earned by the pupil upon
14 completion.

15 (7) The inclusion of a statement in each independent study
16 agreement that independent study is an optional educational
17 alternative in which no pupil may be required to participate. In the
18 case of a pupil who is referred or assigned to any school, class, or
19 program pursuant to Section 48915 or 48917, the agreement also
20 shall include the statement that instruction may be provided to the
21 pupil through independent study only if the pupil is offered the
22 alternative of classroom instruction.

23 (8) (A) Each written agreement shall be signed, ~~prior to~~ *before*
24 the commencement of independent study, by the pupil, the pupil's
25 parent, legal guardian, or caregiver, if the pupil is less than 18
26 years of age, the certificated employee who has been designated
27 as having responsibility for the general supervision of independent
28 study, and all persons who have direct responsibility for providing
29 assistance to the pupil. ~~For~~

30 (B) ~~For purposes of this paragraph~~ *"caregiver" paragraph:*

31 (i) *"Caregiver"* means a person who has met the requirements
32 of Part 1.5 (commencing with Section 6550) of *Division 11* of the
33 Family Code.

34 (ii) *"Written agreement"* includes a PDF or facsimile copy of
35 the original written agreement that includes one or more of the
36 signatures required under subparagraph (A).